UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA

(MIAMI DIVISION)

JANE DOE,

CASE NO: 1:25-cv-20757-JB/Torres

Plaintiff,

v.

STEVEN K. BONNELL II,

Defendant.
_____/

DECLARATION OF JESUS PENA

I, Jesus Peña, declare as follows:

1. I am over eighteen years of age. I am the founder of e-Forensics Inc. ("e-Forensics") and I have over twenty-four years of experience, and my CV is attached hereto as Exhibit "A". My fields of specialty relate to digital forensics and e-discovery consulting and advisory services, and information security auditing and assessments to law firms, corporations, municipalities and federal agencies since 2000. My digital forensics experience includes evidence acquisition, evidence analysis and reporting, and expert witness testimony as it applies to electronically stored information ("ESI") found on mobile devices, workstations, virtual and physical servers, routing and filtering devices, and Cloud storage and computing environments

2. As part of my job duties and responsibilities, I perform digital forensics and e-discovery services, and I oversee the technicians who perform forensic inspections of information technology assets. I personally review and analyze the electronic data and information that is "mirror imaged" and/or otherwise retrieved from those computers.

3. In total, I have testified over 50 times as either an expert or a fact witness, in depositions, hearings, and trials in state and federal court. I have been certified as an expert witness

by the United States District Court for the Southern District of Florida; the Texas Southern District Court; the District Court of Maryland and the Superior Court of the State of California for the County of Los Angeles. I have provided other testimony in the Miami-Dade, Broward, Palm Beach and Sarasota County Courts as a computer forensics expert and fact witness.

4. I co-authored three books covering Windows, MacOS and mobile phone forensics written between 2021-2023, and titled "El Arte y la Ciencia de la Investigación Digital Forense - Sistemas Windows: Vol 1 - Análisis Forense en Sistemas Windows (Spanish Edition)", "El Arte y la Ciencia de las Investigaciones Digitales Forenses: Volumen 2 - Sistemas Linux - Mac - Redes (Spanish Edition)" and "El Arte y la Ciencia de las Investigaciones Digitales Forenses: Volumen 3 - Sistemas Android y iOS (El Arte y la Ciencia de la Investigación Digital Forense) (Spanish Edition)." I was a panelist at the 2019 Judicial Events/MSP Recovery Legends of the Boardroom conference and covered "Technology: As it Relates to Litigation, Mediation & ADR." In 2008, I was a presenter at NACVA's Fifteenth Annual Consultants' Conference and covered "The Impact of e-Discovery and Computer Forensics on the Financial Expert."

5. I was engaged through e-Forensics Inc by Plaintiff to perform digital forensics services and to consult on e-discovery related matters. With respect to the digital forensics analysis, I was tasked with reviewing all materials produced in this matter, including analyzing pleadings, declarations and responsive documents by the Defendant with the goal of testing the veracity of Plaintiff's allegations and Defendant's responses. The final opinions/conclusions expressed in the declaration are exclusively my own and are based on my professional expertise, training, and experience.

BACKGROUND

6. This case pertains to Plaintiff's claims pursuant to the Intimate Image Protection Act, 15USC § 6851 ("CARDII"), which went into effect on October 1, 2022, that at least one video ("Video") of Plaintiff and Defendant having a sexual encounter was made accessible on the Internet by the Defendant *well after* the law went into effect.

DISSEMINATION OF THE "VIDEO"

7. In the Defendant's Motion to Dismiss at 12, ¶ 1, the Defendant alleges that the video is named "VID_240100707_144752_318-1.mp4" and contend that he transferred it to a Discord[1] user with screenname "Rose" on April 9, 2022, which is prior to the effective date of the CARDII statute. As will be discussed below, the evidence relied on by Defendant to support this April 9 date is inconsistent and appears to have been tampered with. Thus this has not yet been conclusively established and would require further discovery. However, for the purposes of the following continuing accessibility analysis, I will assume the date of initial disclosure was April 9, 2022.

8. On November 29, 2024, twenty-nine (29) of the Defendant's files were posted to the KiwiFarms.com platform[2] by an individual with the KiwiFarms screenname "SoloTinyLeaks," who created an account on the very same day; see image #1 of Exhibit "D" hereto. One (1) of the twenty-nine (29) files was the Video (as defined in the Amended Complaint). The leaked files originated from Discord as can be seen by two (2) of the file names prepended with "SPOILER_"; see image #3 of Exhibit "D" hereto. The file naming convention is unique to Discord, and applied whenever an attachment is added, AND the user flags it as a

[1] Discord is a free, real-time voice, video, and text communication platform initially designed for video gamers, but now widely used by communities, businesses, and individuals for creating private and public social groups ("servers")

[2] Kiwi Farms is an American internet forum that originated in 2013, known primarily for its organized campaigns of group trolling, harassment, doxing (publishing private information), and stalking against online figures, particularly members of marginalized groups. The site has been linked to severe real-life harassment and multiple suicides, leading to its intermittent deplatforming by internet service providers.

spoiler. The fact that some of the leaked files begin with "SPOILER_" indicates that the "hacked" files originated from a Discord account that either sent or received the files. In the case of the Video, it could have been obtained from accessing Rose's *or* Defendant's Discord accounts. In ¶ 12 of Defendant's declaration (Dkt. 132-1), Defendant claims the leak likely came from a compromise of Rose's Discord account. This has not yet been conclusively established and would require further discovery.

9. After Defendant's disclosure of the Video, the Video remained on Discord's Content Delivery Network (CDN)[3] until it was finally deleted by Defendant *after* the November 29, 2024 KiwiFarms post by "SoloTinyleaks." Between April 9, 2022 , through at least sometime in December 2023, the Video had continuous/ongoing posting with unprotected, unrestricted accessibility initiated by the Defendant by means of either direct use of a Uniform Resource Locator (URL)[4] (web address) or via queries to any number of search engines (e.g., Google, Bing). This unprotected, unrestricted accessibility of the Video is a result of how Discord implemented storage and access of message attachments on its CDN servers that cache Discord's attachments.

10. Between April 22, 2021, and up until sometime in December 2023 when the vulnerability was finally rectified, Discord was known to have a significant security issue wherein *ALL attachments sent in messages were permanently publicly accessible from the CDN servers simply by navigating to a permanent web address that pointed to the attachment*. See Exhibit "C" herein of a Discord community forum post taken from the WayBackMachine

[3] A geographically distributed network of proxy servers and their data centers. The goal is to provide high-availability and high-performance by distributing the service spatially relative to end-users.
[4] A Uniform Resource Locator (URL*)* is a standardized address used to locate a resource on the internet, such as a file hosted on Discord's Content Delivery Network (CDN) at https://cdn.discordapp.com/attachments/[channel_id]/[attachment_id]/[filename].

(archive.org) titled "Privacy for CDN attachments", where it first describes the issue back in 2021. This major security hole resulted in bad actors using the platform for malware distribution. The news regarding the issue and resolution went public and was widely distributed on many popular media outlets in early November 2023; below are links to a few of the posted articles:

a) TECHRADAR | November 6, 2023 | Discord Is Switching to Temporary Links to Stop Malware | https://www.techradar.com/pro/security/discord-is-switching-to-temporary-links-to-stop-malware

b) BLEEPINGCOMPUTER | November 4, 2023 | Discord Will Switch to Temporary File Links to Block Malware Delivery | https://www.bleepingcomputer.com/news/security/discord-will-switch-to-temporary-file-links-to-block-malware-delivery/#:~:text=Discord%20will%20switch%20to%20temporary%20file%20links%20for%20all%20users,will%20expire%20after%2024%20hours.

c) BITDEFENDER | November 6, 2023 | Discord Tightens Security with Temporary File Links | https://www.bitdefender.com/en-us/blog/hotforsecurity/discord-tightens-security-with-temporary-file-links

d) PCMAG | November 6, 2023 | Discord Decides File Links Will Only Work for 24 Hours | https://www.pcmag.com/news/discord-decides-file-links-will-only-work-for-24-hours

11. To address the vulnerability and the issue of permanent accessibility, in December of 2023 Discord implemented "authentication enforcement" which basically replaced permanent links to attachments with temporary ones that expire within 24 hours. By doing so, Discord effectively solved the problem of its CDN servers hosting malware. Equally important, the change also resulted in the inability of search engines like Google and Bing to index the attachment files because when the engine's crawlers returned (a day or later), the URLs expired, and the engines would not be able to find the files to index[5].

[5] *Search engine indexing* is the process by which a search engine, such as Google, crawls, analyzes, and stores a resource's URL, metadata, and content, such as text in PDFs or TXT files, captions for videos (e.g., MP4), or alt text for images (e.g., PNG, JPEG), to make them discoverable in search results.

12. Discord generates the new temporary URLs with "authentication enforcement" in the background, which appends some parameters to the old URL style (in part) to identify expiration date. The new style temporary link creation occurs in the background ONLY IF the recipient or sender of the attachment views the message with the attachment. At that point, Discord's Application Programming Interface (API)[6] will render the message on the application's screen and automatically creates the new temporary link. What is important to note is that once "authentication enforcement" went into effect in December of 2023, any old-style permanent URLs became obsolete, and the attachments were no longer reachable with the old-style permanent URLs BUT the attachments physically remained on the CDN core and CDN servers. Of importance is that both before and after implementation, if the attachment was removed by the sender (ie. here, Defendant), it would delete it from the Discord core servers and then the CDN cache servers.

13. Back to the Video file. "SoloTinyLeaks" appears to have obtained it from Rose's Discord account in November of 2024. Thus, the Video attachment remained stored on Discord's CDN servers between April 2022 and November 29, 2024 and *remained accessible* to Rose, until it was deleted by Defendant sometime after November 29, 2024. However, it was also publicly accessible via the permanent link *and* reachable by index engines between April 9, 2022 through early December 2023. Although the length of the permanent URL made it virtually impossible for anyone to guess it, nevertheless, dissemination and propagation likely occurred through search engine indexing. Although search engines do not index video or audio content

[6] An *Application Programming Interface (API)* is a set of rules and tools that allows different software applications to communicate, such as Discord's API enabling retrieval of message data or attachment URLs like https://cdn.discordapp.com/attachments/[channel_id]/[attachment_id]/[filename].

itself, it does index multimedia files' metadata, which can be rich in information. As a result, up until December 2023, search engine queries could have easily stumbled upon the Video simply by searching for keywords that matched the indexed metadata -- no need to guess the URL. Therefore, while it is not definitively known if Google ever indexed the Video, it is a highly likely scenario as seen from the fact that there are confirmed cases of search engines having indexed content on the Discord CDN servers, see below:

- **Zscaler (2021–2022)**: Zscaler's ThreatLabz reported that Discord's CDN was exploited for malware distribution, with permanent links shared on external platforms (e.g., phishing emails, dark web forums). *Some malware files were found in Google search results, indicating indexing.* For example, searches for specific malware file names or URLs surfaced CDN-hosted files, as crawlers followed links from public sites. See *https://www.zscaler.com/blogs/security-research/discord-cdn-popular-choice-hosting-malicious-payloads*

- **Trellix (2022)**: Trellix noted over 10,000 malware campaigns using Discord CDN links, *some of which were indexed by Google* when shared on indexed forums or paste sites (e.g., Pastebin). This included PDFs, images, and executables, *not just MP4s*. See *https://www.trellix.com/blogs/research/discord-i-want-to-play-a-game/*

14. In short, the post October 1, 2022, on-going dissemination and accessibility occurred because the Video was not deleted until after November 29, 2024 and there was an active and permanent URL that pointed to it through December 2023. Moreover, search engine indexing crawlers from Google, Bing and others, were known to index the Discord CDN servers.

15. In conclusion, by Defendant's own admission, he used Discord to send the Video to Rose as an attachment. There were no protective measures in place to safeguard his and the Plaintiff's privacy, such as: i) the platform used to send the Video would encrypt while transmitting; ii)the platform would store attachments in an encrypted state and require authentication; and/or iii) recipient would give assurances that it would be safeguarded. The Discord vulnerability related to attachments being publicly available should have been considered by the Defendant as it was a known issue in the Discord community *for an entire year before the*

Defendant sent the Video. The Video remained active and accessible to the public until December 2023 when Discord converted to temporary links, but by that time, CARDII had been in effect for thirteen (13) months. Moreover, the Video remained accessible to Rose and anyone who had access to Rose's Discord account (ie. SoloTinyleaks) until after November 29, 2024 when Defendant finally deleted it.

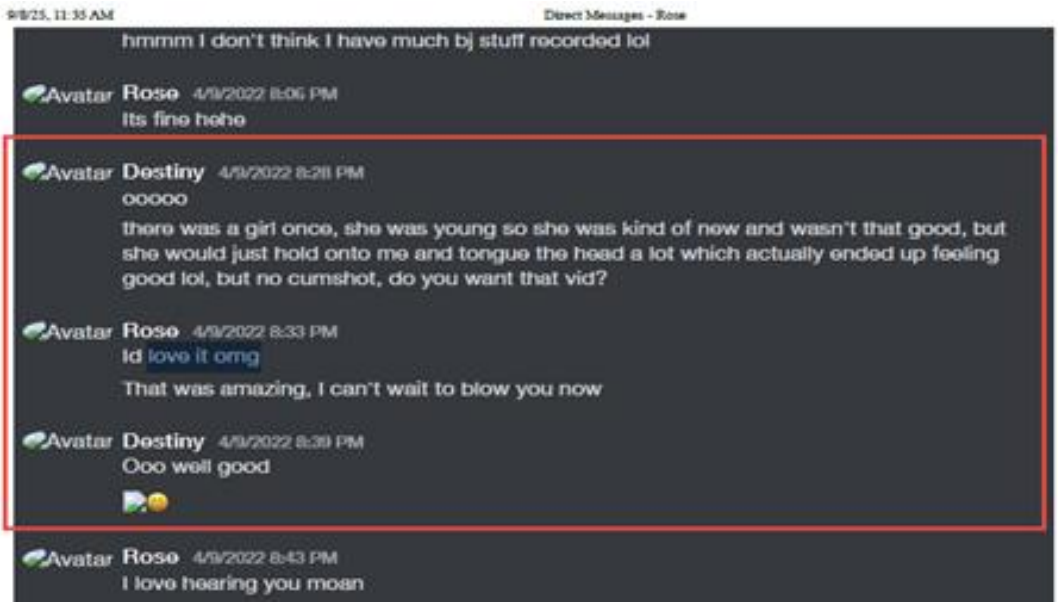
THE DEFENDANT'S EVIDENCE MISMANAGEMENT AND CONSEQUENT UNRELIABILITY

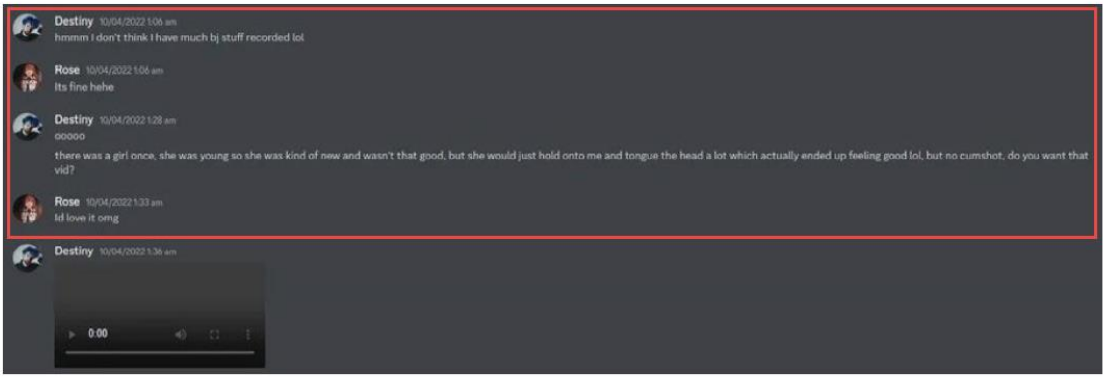
16. A review of the pleadings and materials would indicate that the Defendant's ESI was not collected and preserved in a forensically sound manner. This failure constitutes a critical deficiency, as the foundational principle of digital forensics dictates that cryptographic hash values must be generated *at the time of collection* to ensure the integrity and authenticity of the data. Without these unique digital identifiers, there is no reliable method to determine if the data set has been altered or compromised at any point *after* its initial collection. This principle is the cornerstone of digital forensics practice. For comparison reference, the Plaintiff's acquisition log of her mobile phone, which includes the requisite cryptographic hash values is attached hereto as Exhibit "B". The Defendant's mismanagement renders the production entirely unreliable as it cannot be authenticated if asked to reproduce findings from it. Simply put, there is no way to run a cryptographic algorithm that will assure the data was not altered after being preserved because there is no value to compare it to. Thus, Defendant's evidence is not reliable and cannot be authenticated.

SPOLIATION

17. There is significant evidence of apparent document tampering related to Defendant's document production and to his evidence submitted in support of his Motion to Dismiss. The first instance relates to an excerpt of Discord messages from Defendant's Discord

account (Bates S.B.001690), which was prepared after January 17, 2025, and the corresponding messages – taken from a screenshot taken well before January 17, 2025 -- from an account belonging to a Discord user, Rose (Bates S.B.001617); see below:

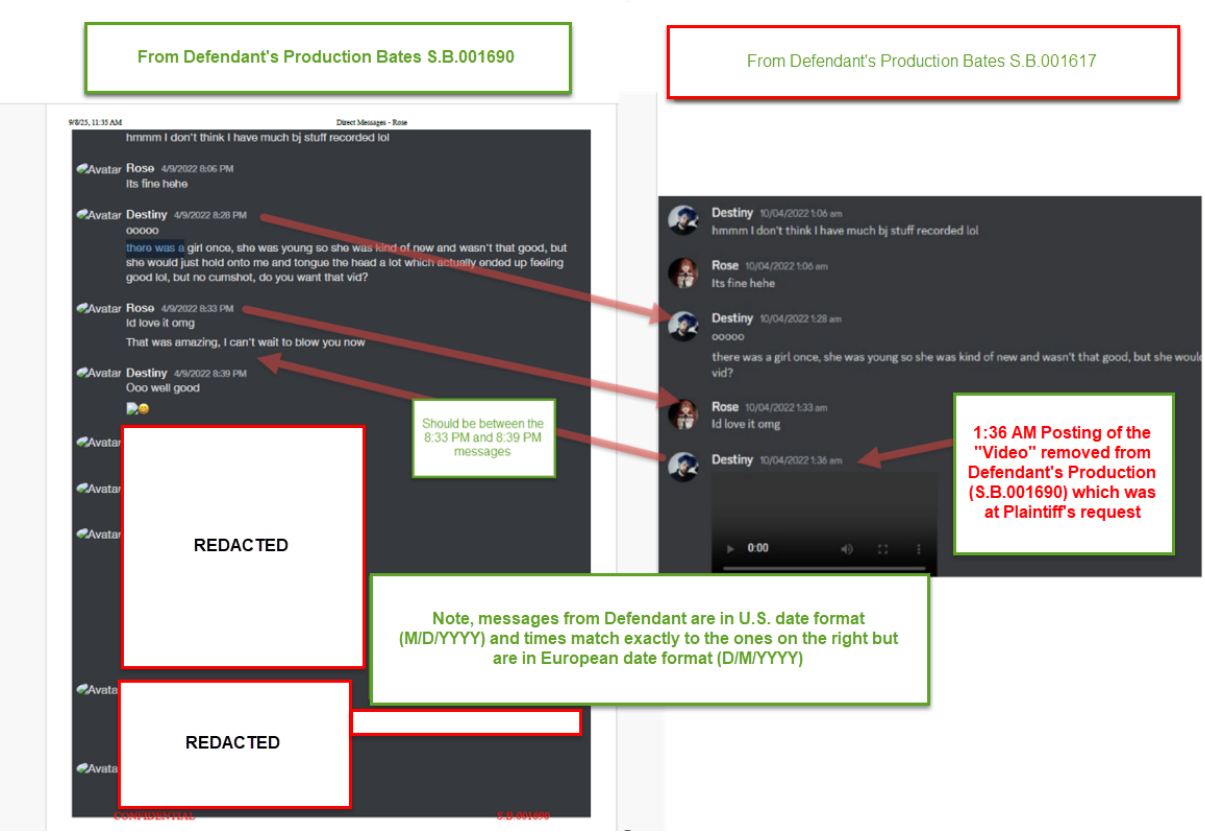




CONFIDENTIAL S.B.001617

In theory, had both conversations been collected at the same time, the content would be identical. However, that was not the case, and the version from the Defendant's side is conspicuously

missing the Video attachment that was originally sent by Defendant on April 9, 2022 8:36PM (Eastern) or April 10, 2022, 1:36 AM (UTC). However, pursuant to Defendant's declaration of April 25, 2025 (ECF 42-1), upon Plaintiff's request Defendant removed the Video (presumably from the Discord chat message to Rose) in late November 2024, which explains why it is missing from Defendant's chat history; see below:

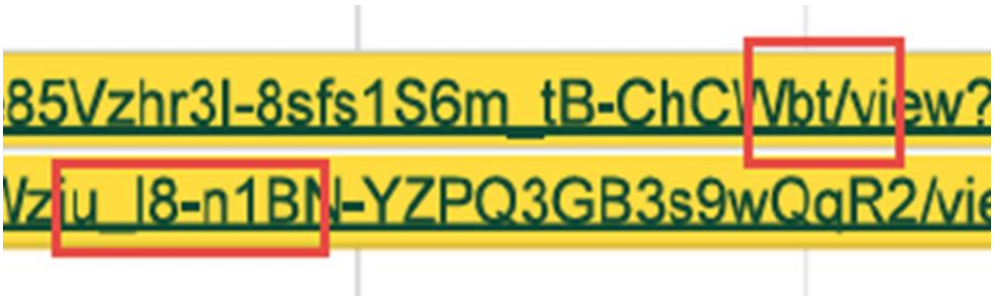


18. There is an apparent sign of tampering seen in Defendant's 4/9/2022 8:33 PM message from Rose, wherein she comments to have viewed the video (at 4/9/2025 8:33 PM) *before* its documented arrival at 4/9/2022 8:36 PM, which is physically impossible. It does not appear that Rose somehow came back and edited the 8:33 PM message after viewing the video. The only way to update a message from a Discord user is for the owner to delete or edit, in which case, an edit would have "(edited)" appended to the message, and no such qualifier is seen. This temporal

and logical inconsistency serves as an apparent indication of post-Discord export manipulation. Moreover, the Defendant relied on these same chat excerpts in his Motion to Dismiss (p. 9, see also Exhs. A and B to Bonnell Decl., ECF 132-2, 132-3) revealing the same inconsistency. The Defendant relied on a comparison of these two documents as the sole support for his assertion that the evidence "conclusively establishes that the Video was transmitted on April 9, 2022 at 8:36 p.m. EST." (ECF 132, p. 9). Yet the Discord chat thread (ECF 132-2) does not show *any* transmission of the video at 8:36 p.m. and also appears to have been tampered with and is thus not reliable evidence.

19. The second spoilation issue noted is with Exhibit E of the Motion to Dismiss (ECF 132-6), wherein Defendant appears to have manually transposed content from a Discord chat with screenname "inbloom1991". The time stamps and Google Drive file identifiers in the URLs from the chat history *do not match* the same from the list the Defendant prepared of media files sent to Discord screenname, "Abbymc"; see below:

	ALL MEDIA FILES SENT TO ABBYMC
2023-03-1010:41:40 EST	SPOILER_PXL_20230310_151548695.TS.mp4
2023-03-10 10:48:48 EST	PXL_20230309_204755888.TS.mp4
2023-03-10 10:49:23 EST	SPOILER_PXL_20230304_224140749.TS.mp4 SPOILER_PXL_20230304_161758601.TS.mp4
2023-04-16 20:06:58 EDT	PXL_20230416_235837040.TS.mp4
2023-04-19 15:50:03 EDT	SPOILER_PXL_20230419_184110696.TS.mp4
2023-04-21 21:34:14 EDT	Screenshot_20230421-214051.png
2023-04-22 04:05:12 EDT	IMG_20230421_222504_731.jpg
2023-05-14 11:45:09 EDT	SPOILER_PXL_20230515_000307047.TS.mp4
2023-05-15 04:00:26 EDT	image.png
2023-08-08 18:12:21 EDT	PXL_20230808_085012370.TS.mp4 PXL_20230808_053948016.TS.mp4 PXL_20230807_185946752.TS.mp4 PXL_20230805_170452832.TS.mp4
2023-08-24 02:44:23 EDT	image.png
2023-09-07 01:25:51 EDT	SPOILER_PXL_20230905_004501437.TS.mp4
2023-10-01 09:35:11 EDT	SPOILER_PXL_20231001_181911242.TS.mp4
2023-10-06 02:56:09 EDT	SPOILER_PXL_20231006_000630775.TS.mp4
2023-10-06 03:26:39 EDT	PXL_20231006_160227257.TS.mp4
2023-10-07 07:44:39 EDT	PXL_20231007_140927946.TS.mp4
2023-10-09 09:59:51 EDT	SPOILER_PXL_20231009_201835840.TS.mp4
2023-10-14 05:11:10 EDT	SPOILER_PXL_20231014_171018392.TS.mp4
2023-10-2212:18:29 EDT	SPOILER_PXL_20231022_233420858.TS.mp4
2023-11-03 04:39:36 EDT	https://drive.google.com/file/d/1k3wUe85Vzhr31-8sfs1S6m_tB-ChOWbV/view?usp=drivesdk
2023-11-03 04:39:44 EDT	https://drive.google.com/file/d/1kGX8Wzu_18n1BN-YZPQ3GB3s9wQgR2/view?usp=drivesdk
2023-11-06 13:34:14 EST	SPOILER_PXL_20231106_221741489.TS.mp4



2023-11-03 14:06	omnidestiny	Goooooood mornings
2023-11-03 14:12	inbloom1991	goood morning
2023-11-03 14:13	inbloom1991	be good be careful
2023-11-03 14:14	omnidestiny	I'm always careful okay I don't mess around with BPD girls anymore okay (:
2023-11-03 14:20	inbloom1991	okayokay just checking on you sorry for being so concerned
2023-11-03 14:20	inbloom1991	lucky I'm not bpb! got a hell of a lot else but we work out just fine I think
2023-11-03 14:21	inbloom1991	and I wish I could jump ontop of you right now
2023-11-03 14:25	omnidestiny	Awww mmm
2023-11-03 14:25	omnidestiny	I've got a couple new videos of me trading head with someone, do you want? :c
2023-11-03 14:36	inbloom1991	yes pleaseeeee
2023-11-03 14:39	inbloom1991	
2023-11-03 14:39	omnidestiny	https://drive.google.com/file/d/1k3wUe85Vzhr3I-8sfs1S6m_tB-ChCWbt/view?usp=drivesdk
2023-11-03 14:39	omnidestiny	https://drive.google.com/file/d/1kGX8Wziu_I8-n1BN-YZPQ3GB3s9wQqR2/view?usp=drivesdk

20. There is more evidence of tampering: the two Google Drive links that Bonnell purportedly sent to both Abby (ECF 132-6) and Peach (ECF 132-7) in the two chat threads are actually not the same links. The highlighted links below are from ECF 132-7 and the non-highlighted links are from ECF 132-6:

1.<https://drive.google.com/file/d/1k3wUe85Vzhr3I-8sfs1S6m_tB-ChCWbt/view?usp=drivesdk>

https://drive.google.com/file/d/1k3wUe85Vzhr31-8sfs1S6m_tB-ChCWbVview?usp=drivesdk

The highlighted URL has ...zhr3l... (lowercase l) and the bottom one has ...zhr31.. (number 1). Also, the highlighted URL ends in Wbt/view? and the bottom one ends in WbVview?.

2. <https://drive.google.com/file/d/1kGX8Wzju_l8-n1BN-YZPQ3GB3s9wQqR2/view?usp=drivesdk>

https://drive.google.com/file/d/1 kGX8Wzju_ 18n 1BN-YZPQ3GB3s9wQqR2/view?usp=drivesdk

The highlighted link begins with 1k and the other one from ECF 132-7 is 1 k or 1_k . Also, the highlighted link has l8-n1 (starting with lowercase l), bottom link has 18-n 1 (starting with 1, and a space or _ after the n).

21. Thus, the above evidence, which was relied on by Defendant in his Motion to Dismiss for his assertion that his "preserved communication logs with Abbymc conclusively establish that he never transmitted the Video to her at any time," (ECF 132, p. 13) is not reliable evidence because it appears to have been tampered with.

22. Finally, I note the following: Bonnell states that because the original filename of the Video, as revealed by Solotinyleaks (see ECF 132-5), is not the same as either of the filenames that he sent to Abbymc (see ECF 132-6), that proves that he never sent the Video to Abbymc. (Mot. pp. 13-14). But Bonnell is comparing apples to oranges, because the two "filenames" in ECF 132-6 that he purportedly sent to Abbymc on November 3, 2023 are NOT filenames. Instead they are Google Drive link URLs which merely point to *unknown* file names.

Under penalties of perjury, I declare that I have read the foregoing document and that the facts stated in it are true to the best of my knowledge and belief.

Dated: October 3, 2025.

Jesus Pena

Exhibit A

JESUS F. PENA

Jesus has over twenty-four years of experience providing Windows, OS X, Linux, iOS and Android forensic services, e-discovery advisory services, and information security auditing and assessments to law firms, corporations, municipalities, and federal agencies.

Jesus' digital forensics experience includes evidence acquisition, evidence analysis and reporting, and expert witness testimony as it applies to electronically stored information ("ESI") found on mobile devices, PCs, virtual and physical servers, routing and filtering devices, and Cloud environments. He has designed and managed complex e-Discovery projects, involving everything from litigation holds, meet, and confers, collections, early case assessments, to selecting the optimal e-discovery platform to ingest, process, review and produce responsive documents. Lastly, he has performed information security vulnerability assessments, audits and penetration tests that adhere to popular risk assessment frameworks.

Jesus has testified approximately 50 times and has been certified as an expert witness by the United States District Court for the Southern District of Florida in the area of LAN/WAN security and firewall forensics. In addition, he has testified as an expert witness in the Southern District of Texas, the District of Maryland and in the Superior Court of the State of California for the County of Los Angeles. Other testimony includes Miami-Dade, Broward, Palm Beach and Sarasota County Courts as a computer forensics expert and fact witness for both U.S. and multi-national corporations.

Since 2000, Jesus has held numerous director positions in risk management, and digital forensics and e-discovery firms. Prior to those positions, he was employed at the United Parcel Service (UPS) South Florida District for eleven years. During the last years, Jesus managed network technicians and data entry personnel at the South Florida data processing center and was responsible for maintaining all South Florida district LANs and new technology rollouts. Additional duties at UPS included software development for the finance and accounting department.

Jesus was a network administrator for Novell based networks and performed installation/configuration/ troubleshooting of EISA based Servers; LAN/WAN installations and support; Support of CSU/DSU and IBM 3270 controllers; Needs-analysis and coding in Clipper(xbase) for accounting systems with ported data from JCL report-to-disk file input data; Token Ring and Ethernet networks running TCP/IP and IPX/SPX, and managed and supported Novell SNA gateway. He has extensive experience in the administration of Web hosting environments; installation, administration and support of Windows, Novell, Linux and Cisco IOS operating systems. He has also designed and implemented secured LAN/WANs through the use of firewalls, intrusion detection systems, virtual local area networks and virtual private networks.

Jesus has extensive experience in the analysis of hacking footprints in the LINUX kernel-based firewall. In addition to computer and smartphone digital forensics, he has overseen projects covering every aspect of the electronics discovery reference model (EDRM) and well-versed in the Relativity platform. With respect to information security assessments and audits, Jesus has conducted Nessus based internal and perimeter credentialed and non-credentialed assessments at multi-location clients. Moreover, he has performed scan interpretations, and prepared applicable remediation plans.

Jesus earned a Bachelor of Arts Degree in Management Information Systems from Florida International University in 1987. He is a Certified Computer Forensics Technician - Advanced level, and course certified in the use of AccessData's Forensic Tool Kit (FTK) software and Encase Forensic Edition software. He also received Kroll-Ontrack's e-discovery course certification and is a member of the High Technology Crime Investigation Association (HTCIA), High Tech Crime Network organization (HTCN) and the Association of Certified E-Discovery Specialists. Jesus successfully completed Novell's Networking Technologies examination, and for over 15 years, He was a SAGE ERP Pro Certified Technical Consultant, specializing in Visual Foxpro based, Pro Series accounting software.

He is a co-author of three books covering Windows, Macs and mobile digital forensics written in 2021 and 2022, respectively titled "El Arte y la Ciencia de la Investigación Digital Forense - Sistemas Windows: Vol 1 - Análisis Forense en Sistemas Windows (Spanish Edition)", "El Arte y la Ciencia de las

Investigaciones Digitales Forenses: Volumen 2 - Sistemas Linux - MAC - Redes (Spanish Edition)" and "El Arte y la Ciencia de las Investigaciones Digitales Forenses: Volumen 3 - Sistemas Android y iOS (El Arte y la Ciencia de la Investigación Digital Forense) (Spanish Edition)." He was a panelist at the 2019 Judicial Events/MSP Recovery Legends of the Boardroom conference and covered "Technology: As it Relates to Litigation, Mediation & ADR." In 2008, he was a presenter at NACVA's Fifteenth Annual Consultants' Conference and covered "The Impact of e-Discovery and Computer Forensics on the Financial Expert."

Jesus F. Peña

(Testimony History June 2021 Through June 2025)

1. *Expert Witness Testimony – CENTER FOR INDIVIDUAL RIGHTS V. CHEVALDINA, CASE: 1:16-cv-20905-WPD, U.S. DISTRICT COURT DISTRICT OF SOUTHERN FLORIDA - July 30, 2021*

2. *Expert Witness Testimony – DATA PAYMENT SYSTEMS, INC. V. JULI BRODSKY ET AL, CASE: 2016-020026-CA-01, IN THE CIRCUIT COURT OF THE ELEVENTH JUDICIAL CIRCUIT IN AND FOR MIAMI-DADE COUNTY, FLORIDA One Payment – September 27, 2021*

3. *Expert Witness Testimony – JORGE CANALS V. SOUTH FLORIDA POLYMERS, LLC, a Florida limited liability company; and JULIO DELGADO, individually, CASE: 2019-34138-CA-01, IN THE CIRCUIT COURT OF THE ELEVENTH JUDICIAL CIRCUIT IN AND FOR MIAMI-DADE COUNTY, FLORIDA – January 7, 2022*

4. *Expert Witness Testimony – DATA PAYMENT SYSTEMS, INC. V. JULI BRODSKY ET AL, CASE: 2016-020026-CA-01, IN THE CIRCUIT COURT OF THE ELEVENTH JUDICIAL CIRCUIT IN AND FOR MIAMI-DADE COUNTY, FLORIDA One Payment – February 11, 2022*

5. *Expert Witness Testimony – MARCO REVAH V. BUGATCHI UOMO APPAREL, INC., a Delaware for profit corporation, CECILE REVAH, individually, DANIEL REVAH, individually, SHINE USA, INC., a Delaware for profit corporation, and SHINE CANADA, INC.,a Canada company, CASE: 2014-CA-003781, IN THE CIRCUIT COURT OF THE 15TH JUDICIAL CIRCUIT IN AND FOR PALM BEACH COUNTY, FLORIDA – October 28, 2022*

6. *Deposed -- MARCO REVAH V. BUGATCHI UOMO APPAREL, INC., a Delaware for profit corporation, CECILE REVAH, individually, DANIEL REVAH, individually, SHINE USA, INC., a Delaware for profit corporation, and SHINE CANADA, INC.,a Canada company, CASE: 2014-CA-003781, IN THE CIRCUIT COURT OF THE 15TH JUDICIAL CIRCUIT IN AND FOR PALM BEACH COUNTY, FLORIDA – November 30, 2022.*

7. *Expert Witness Testimony – Atlas Travel Solutions, Inc. v. Le Comte et al, CASE: 0:22-cv-62444-KMM, U.S. DISTRICT COURT DISTRICT OF SOUTHERN FLORIDA – March 9, 2023.*

8. *Deposed -- STEVEN T. LIVINGSTON vs COOPER TIRE & RUBBER COMPANY; TBC RETAIL GROUP, INC. d/b/a TIRE KINGDOM, A Florida corporation; and BRIDGESTONE RETAIL OPERATIONS, LLC d/b/a FIRESTONE COMPLETE AUTO CARE, CASE: 2014-CA-003781, IN THE CIRCUIT COURT OF THE SEVENTEENTH JUDICAL CIRCUIT IN AND FOR BROWARD COUNTY, FLORIDA – September 11, 2023*

9. *Expert Witness Testimony – SWEET PEEL FRUIT CO., LTD, a. Foreign Limited Company and GUSTAVO ROBAYNA an individual v. Le Comte et al, v. BANALAND LLC, a Florida Limited Liability Company, TROPICAL FRUIT TRADING, INC.,a Florida Corporation, CASE: 2018-024664 CA 01, IN THE CIRCUIT COURT OF THE ELEVENTH JUDICIAL CIRCUIT IN AND FOR MIAMI-DADE COUNTY, FLORIDA– January 26, 2024.*

10. *Expert Witness Testimony – SWEET PEEL FRUIT CO., LTD, a. Foreign Limited Company and GUSTAVO ROBAYNA an individual v. Le Comte et al, v. BANALAND LLC, a Florida Limited Liability Company, TROPICAL FRUIT TRADING, INC.,a Florida Corporation, CASE: 2018-024664 CA 01, IN THE CIRCUIT COURT OF THE ELEVENTH JUDICIAL CIRCUIT IN AND FOR MIAMI-DADE COUNTY, FLORIDA– March 26, 2024.*

11. *Expert Witness Testimony – STATE OF FLORIDA v. BLAIR WRIGHT, CASE: 13-015742CF10A, IN THE CIRCUIT COURT OF THE SEVENTEENTH JUDICIAL CIRCUIT IN AND FOR BROWARD COUNTY, FLORIDA– March 20, 2025*

12. *Expert Witness Testimony – STATE OF FLORIDA v. BLAIR WRIGHT, CASE: 13-015742CF10A, IN THE CIRCUIT COURT OF THE SEVENTEENTH JUDICIAL CIRCUIT IN AND FOR BROWARD COUNTY, FLORIDA– March 21, 2025*

13. *Expert Witness Testimony – STATE OF FLORIDA v. BLAIR WRIGHT, CASE: 13-015742CF10A, IN THE CIRCUIT COURT OF THE SEVENTEENTH JUDICIAL CIRCUIT IN AND FOR BROWARD COUNTY, FLORIDA– April 11, 2025*

Exhibit B

GRAYSHIFT

VeraKey Progress Report

Evidence ID: 061-0001

Examiner Name: Joseph Marra

VeraKey Serial Number: 68059dead4391f15
VeraKey Software: OS Version: 1.26.2.31231301, App Bundle: 5.12.0.31221319-edisco
Report generation time: 2025-03-28 16:36:08 UTC

Target Device Information

Device Name	iPhone
Software Version	18.3.2 [22D82]
Model	iPhone 15 Pro [iPhone16,1 D83AP]
Unique Device ID (UDID)	00[redacted]
Serial Number	D[redacted]
Unique Chip ID (ECID)	5071262068736058
WiFi MAC Address	ec:0d:51:de:9a:66
Bluetooth MAC Address	ec:0d:51:e1:f2:94
Phone Number	+1[redacted]
IMEI	35[redacted]
IMEI(2)	359[redacted]
Data Partition Size	102.31GB (102307315712 bytes)
Last Lock State	Unlocked
Graykey Agent Version	5.12.0
Backup State	iCloud Back[redacted]
Owner Name	A[redacted]
Accounts	ar[redacted]

Event Log

2025-03-28 14:26:14 UTC: Initial access started.
2025-03-28 14:30:25 UTC: Initial access succeeded.
2025-03-28 14:30:27 UTC: On-device agent started. Device Time: 2025-03-28 10:30:27 -04:00
Device Boot Time: 2025-03-28 10:24:45 -04:00 OS Version: 1.26.2.31231301 AL Version: 5.12.0.31221319-edisco
2025-03-28 14:30:27 UTC: Connected to on-device agent.
2025-03-28 14:30:35 UTC: Manual data extraction requested.
2025-03-28 14:30:35 UTC: Target device unlocked.
2025-03-28 14:30:35 UTC: Keychain extraction started.
2025-03-28 14:30:38 UTC: Keychain extraction complete. Result: Success
2025-03-28 14:30:38 UTC: Filesystem extraction started.
2025-03-28 16:22:59 UTC: Filesystem extraction complete. Result: Success
2025-03-28 16:23:04 UTC: On-device agent uninstalled.
2025-03-28 16:23:21 UTC: Progress report generated.
2025-03-28 16:36:08 UTC: Progress report generated.

GRAYSHIFT

Extraction Result Summary

Full Filesystem	2025-03-28 16:22:56.908001 UTC
Extraction size	123.83GB (123833182001 bytes)
SHA256	bc21bd3b8a542c72bc1f2bd7696133109fe3a90f65664dd1c570e631a61d1c74
MD5	37009f051eef4fa09a49b9f16fc18849

Keychain	906 Keys, 16 Certificates, 426 Internet passwords, 2673 General passwords
SHA256	09f3bbf48a398a0e84e2ea5afce5c3f1b7f2910ffd5149dab72521a1fc4f0aba
MD5	444cb36d8779a2ba88175946ceafee78

Exhibit C

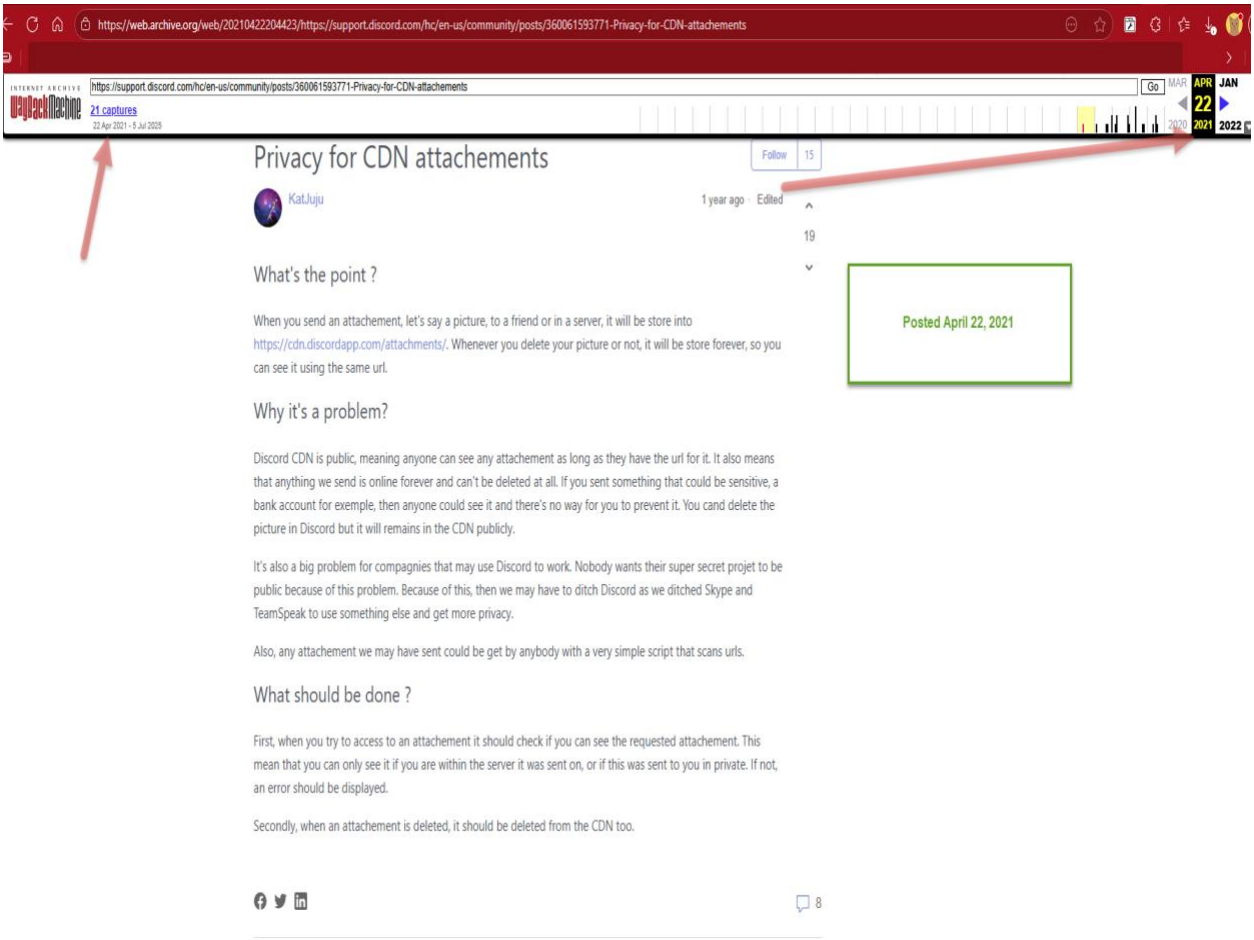

https://web.archive.org/web/20210422204423/https://support.discord.com/hc/en-us/community/posts/360061593771-Privacy-for-CDN-attachements
https://support.discord.com/hc/en-us/community/posts/360061593771-Privacy-for-CDN-attachements
21 captures
22 Apr 2021 - 8 Jul 2025
Privacy for CDN attachements
Follow 15
KatJuju
1 year ago · Edited
19
What's the point ?
When you send an attachement, let's say a picture, to a friend or in a server, it will be store into https://cdn.discordapp.com/attachments/. Whenever you delete your picture or not, it will be store forever, so you can see it using the same url.
Why it's a problem?
Discord CDN is public, meaning anyone can see any attachement as long as they have the url for it. It also means that anything we send is online forever and can't be deleted at all. If you sent something that could be sensitive, a bank account for exemple, then anyone could see it and there's no way for you to prevent it. You cand delete the picture in Discord but it will remains in the CDN publicly.
It's also a big problem for compagnies that may use Discord to work. Nobody wants their super secret projet to be public because of this problem. Because of this, then we may have to ditch Discord as we ditched Skype and TeamSpeak to use something else and get more privacy.
Also, any attachement we may have sent could be get by anybody with a very simple script that scans urls.
What should be done ?
First, when you try to access to an attachement it should check if you can see the requested attachement. This mean that you can only see it if you are within the server it was sent on, or if this was sent to you in private. If not, an error should be displayed.
Secondly, when an attachement is deleted, it should be deleted from the CDN too.
8
Posted April 22, 2021

Exhibit D

Image #1

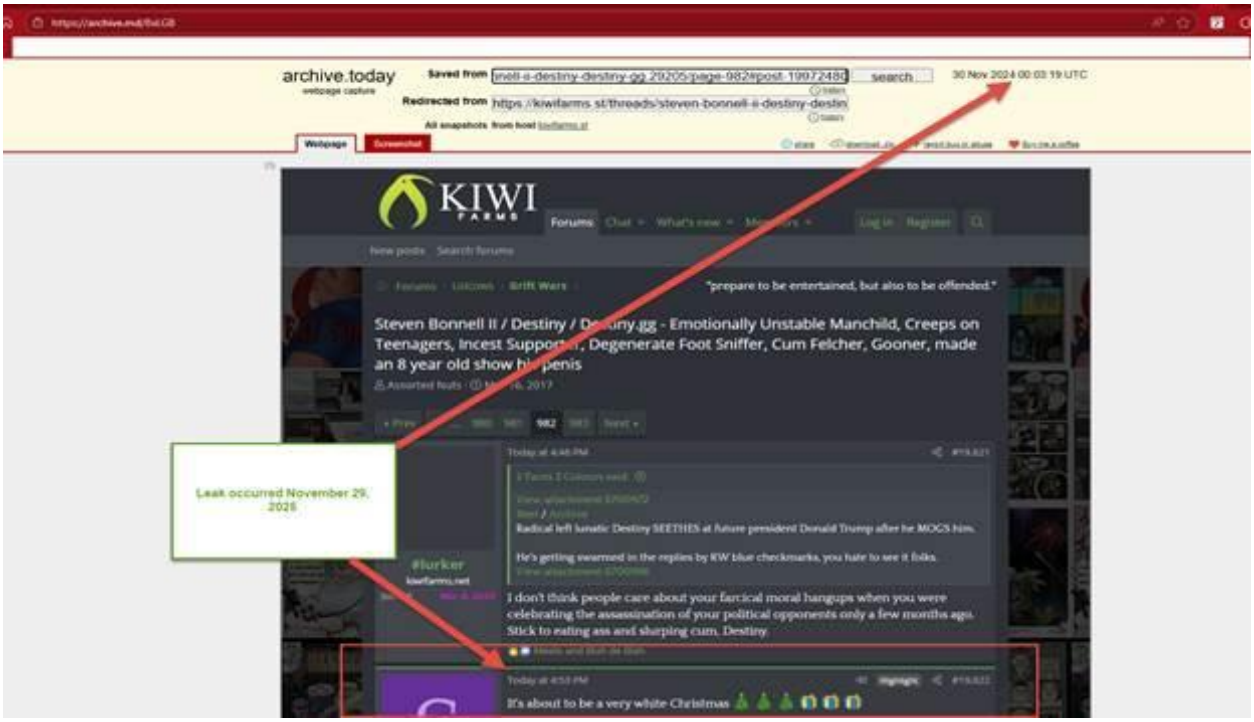
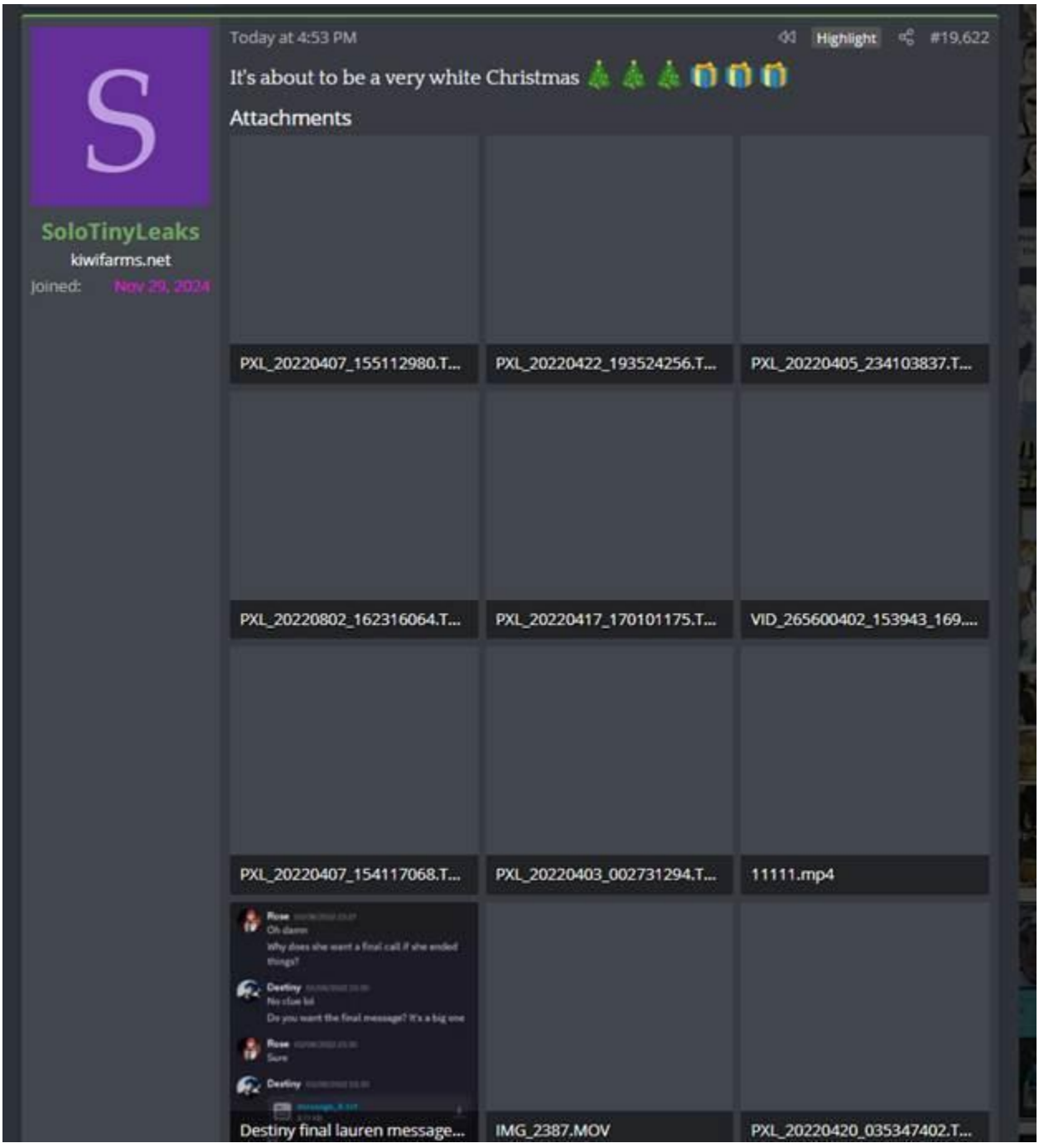


Image #2


S
SoloTinyLeaks
kiwifarms.net
Joined: Nov 29, 2024
Today at 4:53 PM
Highlight
#19,622
It's about to be a very white Christmas
Attachments
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Destiny final lauren message...
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Image #3

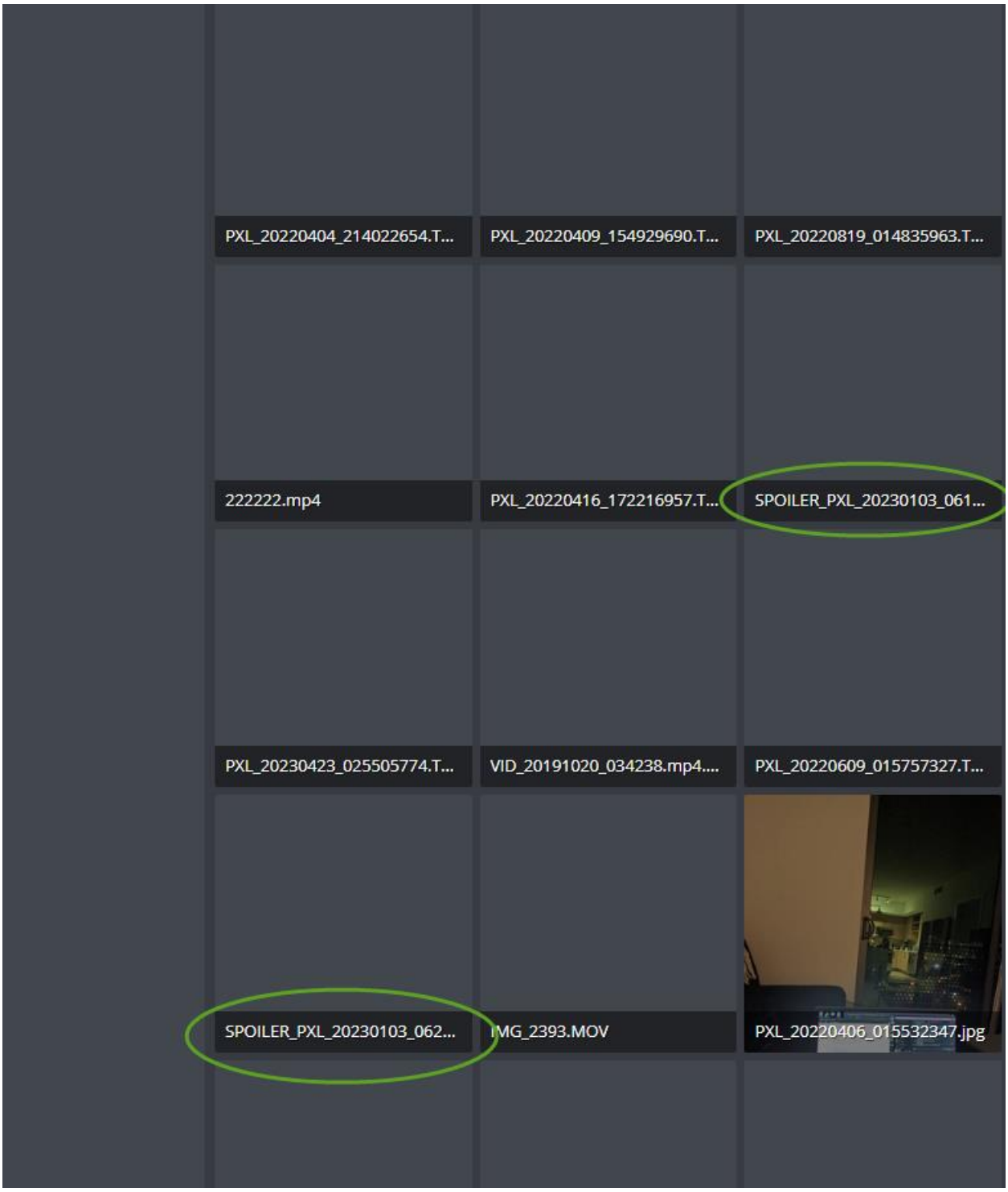
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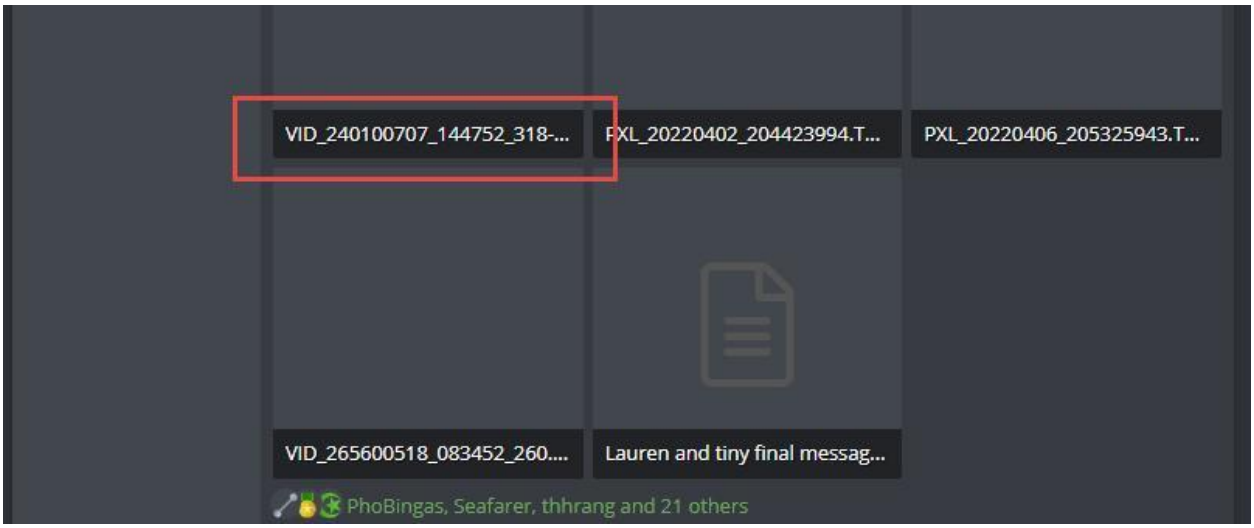
Image #4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PXL_20220406_205325943.T...
VID_265600518_083452_260....
Lauren and tiny final messag...
PhoBingas, Seafarer, thhrang and 21 others